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8 Attorney for Plaintiff WELLLIVING
9 CORPORATION, a California corporation
10 dba MVP INTERACTIVE

11 UNITED STATES DISTRICT COURT
12
13 NORTHERN DISTRICT OF CALIFORNIA

14 WELLLIVING CORPORATION, a
15 California corporation dba MVP
16 INTERACTIVE SPORTS,

17 Plaintiff,

18 vs.

19 BUDDY CARDIEL, an individual, LISA
20 WILEY, an individual, POWEREDGE
21 BASEBALL, and DOES 1-10

22 Defendants.

Case No: CV 09-5101 MEJ

The Honorable Maria-Elena James

**REQUEST FOR DISMISSAL AS TO
DEFENDANT LISA WILEY WITHOUT
PREJUDICE and ~~PROPOSED~~ ORDER**

23 IT IS HEREBY REQUESTED by Plaintiff to this action, WELLLIVING
24 CORPORATION, a California corporation dba MVP INTERACTIVE SPORTS, through their
25 counsel of record that the above-captioned action be and hereby is dismissed without prejudice
26 as to Defendant LISA WILEY only, pursuant to Rule 41(a)(1)(A)(ii) of the Federal Rules of
27 Civil Procedure. Each party to waive its rights to appeal and bear its own costs and attorney's
28 fees.

Date: February 25, 2010

Plaintiff's Counsel


Signature

Plaintiff's Counsel

Ray K. Shahani, Esq.

Printed Name

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1 IT IS HEREBY ORDERED THAT the above-captioned action be and hereby is
2 dismissed as to Defendant Lisa Wiley only without prejudice pursuant to Rule 41(a)(1)(A)(ii) of
3 the Federal Rules of Civil Procedure. The parties will bear their own attorney's fees and costs of
4 suit.

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6 Date: February 26, 2010



Honorable Lisa-Elena James